



144-16 68 Drive
Flushing, New York
August 15, 2008

Via fax

Honorable Laura T. Swain
United States District Judge
United States District Court
Southern District of New York
500 Pearl Street
Room 755
New York, New York 10007
Southern District of New York

MEMO ENDORSED

RE: Case 06CV5450 (LTS) (DFE) - Mervyn Frankel vs City of New York/
NYC Department of Environmental Protection et al
RE: Case 07CV3436 (LTS) (DFE) - Mervyn Frankel vs City of New York/
NYC Department of Environmental Protection et al

Plaintiff is preparing an answer to Judge Eaton's recommendations to your Honor.

This note is just to verify what plaintiff believes to be obvious that the September 4, 2008 pre-trial hearing has been postponed until your Honor comes to a decision on Judge Eaton's recommendations.

I am assuming this to be true unless notified to the contrary.

Have a great weekend.

Respectfully submitted.....

Sincerely,

Mervyn Frankel

Mervyn Frankel (pro-se plaintiff)
917-841-9507 Fax : 718-263-4564

*The final pre trial conference is
currently scheduled for
February 5, 2009 at 10:00 AM.*

SO ORDERED.

NEW YORK, NY

[Signature]
LAURA TAYLOR SWAIN
August 19, 2008 UNITED STATES DISTRICT JUDGE

Copies mailed/faxed to All parties
Chambers of Judge Swain
8-19-08